

I. Terms of Reference

The following is presented for feedback from the Science Advisory Council.

The Plan

The Oceans Act of 2008 requires a final promulgated plan by December 31, 2009 and a draft plan for public hearings and legislative review six months before (July 1, 2009). The Act directs the Secretary to develop a plan that will:

- Set forth the Commonwealth's goals, siting priorities, and standards for proper stewardship of its ocean waters held in trust for the benefit of the public;
- Coordinate uses that include international, federal, state and local jurisdictions;
- Foster sustainable uses that capitalize on economic opportunity without significant detriment to the ecology or natural beauty of the ocean; and
- Identify appropriate locations and performance standards for activities, uses, and facilities allowed under Sections 15 and 16 of Chapter 132A (statutory provisions that authorize a wide variety of ocean-based activities).

The planning process will develop and integrate public input, available data and information, and planning tools as the basis for advancing a framework that will manage the allocation of, and management of interactions among, ocean interests, as an overlay on existing regulatory and management programs.

The Act further states that the Science Advisory Council (or "Science Council") "will assist the secretary in creating a baseline assessment and obtaining any other scientific information necessary for the development of an ocean management plan."

Given the short schedule and currently available data, EEA envisions that the Plan will have two main components, which will be developed subject to input from the Ocean Advisory Commission ("Commission"), Council, public, work groups, and stakeholders:

- 1) a framework plan with a spatial component and defined implementation /management measures; and
- 2) a defined planning, science, and policy process for ongoing, dynamic plan evolution.

Plan Area

The Oceans Act defines the planning area as including any waters and submerged between the Commonwealth's seaward boundary and the nearshore boundary. The nearshore boundary was created by merging a line buffered 0.3 nautical miles from an approximate mean high water shoreline with closing lines digitized manually to ensure that most developed coastal embayments, ports, harbors, etc. are not included in the planning area. See map of planning area.

Plan Principles

The Oceans Act outlines a number of objectives that the Plan must be responsive to. These Plan principles—or, the vision for the plan and what the plan should do—will be the subject of much of the work through the fall of 2008, and will be refined to incorporate input received during that time. These Plan principles will be used to help analyze the conceptual plan framework and the plan itself (once drafted) to ensure that the plan is responsive to the Oceans Act and meets the needs of the citizens of the Commonwealth. The baseline assessment (as called for in the Oceans Act) will also be crafted in such a manner as to ensure that the principles are appropriately incorporated into the plan.

The Oceans Act lays out the foundation for the plan principles, by stating that the plan shall:

1. set forth the commonwealth's goals, siting priorities and standards for ensuring effective stewardship of its ocean waters held in trust for the benefit of the public;
2. adhere to sound management practices, taking into account the existing natural, social, cultural, historic and economic characteristics of the planning areas;
3. preserve and protect the public trust;
4. reflect the importance of the waters of the commonwealth to its citizens who derive livelihoods and recreational benefits from fishing;
5. value biodiversity and ecosystem health;
6. identify and protect special, sensitive or unique estuarine and marine life and habitats;
7. address climate change and sea-level rise;
8. respect the interdependence of ecosystems;
9. coordinate uses that include international, federal, state and local jurisdictions;
10. foster sustainable uses that capitalize on economic opportunity without significant detriment to the ecology or natural beauty of the ocean;
11. preserve and enhance public access;
12. support the infrastructure necessary to sustain the economy and quality of life for the citizens of the commonwealth;
13. encourage public participation in decision-making;
14. adapt to evolving knowledge and understanding of the ocean environment; and
15. identify appropriate locations and performance standards for activities, uses and facilities allowed under sections 15 and 16 of chapter 132A.

Baseline Assessment

As mentioned above, the Oceans Act requires that the Science Council will assist the Secretary in developing a baseline assessment for the plan. EEA envisions that this baseline assessment will be responsive to the plan principles, to the extent feasible given the availability, accuracy, and precision of extant data. The baseline assessment also will provide the foundation for the plan's spatial component and implementation/management measures. The baseline assessment will be informed by the data collection and analysis conducted by the work groups as well as additional scientific information obtained with the assistance of the Council.

Executive Office of Energy and Environmental Affairs (EEA)

EEA is responsible for developing the ocean plan and managing all components of the planning process. Ocean planning will be managed by a planning team w/in EEA as augmented by CZM and other agency resources as needed.

EEA Interagency Coordinating Committee

EEA, DMF, DEP, CZM, DCR, NHESP will serve on an ad hoc basis as a discussion, conflict resolution, and general, senior-management level sounding board.

EEA Planning Team

Deerin Babb-Brott, John Weber, Prassede Vella, Bruce Carlisle, and Dan Sampson (for management of CZM resources and data management and analysis, respectively) will be the core planning team.

EEA Data Team

Bruce Carlisle, Dan Sampson, Christian Jacqz, Emily Chambliss, John Weber will represent the Data Team with participation as relevant from Nick Napoli (MOP, see below).

Oceans Advisory Commission

The Commission will meet approximately quarterly and will have four primary areas of responsibility:

- Coordinate development of plan principles.
- Review and provide feedback on the results of public input processes.
- Review and provide feedback on the plan framework alternatives—the conceptual basis of the plan—to help ensure that public input is incorporated appropriately and that identified plan principles are appropriately addressed.
- Once the plan framework is populated by the data and analysis necessary to develop the plan itself, review the plan to help insure that public input is incorporated appropriately and that identified plan principles are incorporated.

Science Advisory Council

The Science Council will meet approximately quarterly and will have four primary areas of responsibility:

- Review the workgroups' data sources to identify other available data that is directly applicable and useful.
- Assist in the development of an outline and structure for the baseline assessment, identify information sources and synthesize data to be included, and review drafts of the Ocean Plan baseline assessment/characterization.
- Assist in the development of a recommend set of core indicators that would be established, measured and reported on to inform: (1) the progress of plan implementation and (2) the state of the ocean environment, including both natural and human dimensions.
- Identify 'big picture' questions that would improve the understanding of the natural systems and/or human uses/influences and be directly applicable to future versions of the ocean plan; and help formulate a long term strategy for addressing these gaps.

The Science Council will review the baseline data and provide feedback on its relationship to management recommendations of the immediate plan and the responsiveness of the long-term research plan to identified “big-picture” questions. The Science Council will participate in the review of plan framework alternatives and provide feedback on the scientific adequacy of the plan framework. The Science Council will also evaluate plan scenario alternatives for the degree to which the alternatives best advance a scientific foundation for the plan, in part based on a weighing of data availability, precision, and accuracy with the management measures incorporated in the scenarios. EEA will staff the Science Council.

Specific issues EEA will ask the Science Council for feedback on include but are not limited to:

1. Baseline assessment adequacy in providing a foundation for the plan’s principles, spatial component, and implementation/management measures.
2. Indicators / development of scaleable monitoring program
3. Identification of big picture questions, particularly from an ecosystem-based management basis.
4. Responsiveness of the plan and its long-term research component to big picture questions.
5. Climate change

MA Ocean Partnership

EEA and MOP will execute an MOU that defines a collaborative relationship by which MOP will provide technical support for discrete tasks associated with the planning process, organized under three main headings: 1) public and stakeholder input; 2) data management; and 3) planning analysis. The MOU will articulate how MOP will provide support to EEA’s planning process while emphasizing that each organization will be responsive to its mandate (MOP to its Charter; EEA to the Oceans Act) and nature (MOP unincorporated public/private partnership w/ funding from Moore Foundation; EEA government agency).

Work groups

Agency work groups have begun the task of cataloging, synthesizing, and analyzing existing data related to ocean resources, and incorporating results of this work into the Massachusetts Ocean Resource Information System (MORIS), a geographic information system managed by CZM. Work groups will soon be expanded to include appropriate representatives from outside of state agencies who will assist in ensuring that data is up-to-date and analysis is scientifically and technically accurate. Work groups are organized around the key uses and subject areas as defined by the Act and are as follows: habitat, transportation and infrastructure, renewable energy, sediment management, fishing (which includes commercial and recreational fishing, as well as fisheries resources), and cultural and recreational uses. Work groups are also identifying the existing regulatory framework for their issue areas to help inform the development of the plan framework and implementation.

II. Plan Development

The ocean planning process will include the integration of three main components: 1) statements of MA ocean principles (what we want the plan to do) based on broad-based public input; 2) characterization of the environmental, social and economic attributes of the ocean environment (existing and needed data); and 3) development of a plan framework that is responsive to the ocean principles and ocean characterization.

As described above in the Terms of Reference, the process will produce two products: 1) framework plan with a spatial component and defined implementation /management measures; and 2) defined planning, science, and policy process for ongoing, dynamic plan evolution.

To achieve this task in the timeframe set out by the Oceans Act, three main phases are envisioned (the timelines included are subject to change):

Phase 1: July 2008 – January 2009: public input, information gathering, development of planning tools and conceptual framework

- Workgroups will serve as the technical core of Phase 1, gathering data and generating working maps;
- Public meetings statewide, and intensively along the coast, will collect feedback, with a specific focus on identification of plan principles;
- The Commission will be closely involved in developing the planning principles and review key milestone products; the Science Council will review baseline data characterizations, identify ongoing data needs, and review key milestone products;
- Ocean planning models will be analyzed and options for consideration in MA presented for review.

Workgroups

Agency workgroups will identify existing data, provide to MassGIS for input into the Massachusetts Ocean Resource Information System MORIS (Massachusetts Ocean Resource Information System), and identify work needed to process non-MORIS compatible data. Agencies will use a consistent MORIS basemap and begin to analyze data and identify data not currently available but necessary and/or desirable for incorporation into the plan.

Following an initial draft at developing their analyses and data needs, the workgroups will be expanded to include a cross-section of interests affiliated with the workgroup subject matter. Agency data will be reviewed for completeness and accuracy. New and revised data will be transferred into MORIS.

Public meetings

Public meetings statewide, and intensively along the coast, will collect feedback that will be catalogued and analyzed. Public comment will be integrated in the development of planning principles. In addition to a broad-based public input process, EEA will be developing mechanisms to allow for more focused, in-depth public input as necessary. EEA will encourage and solicit comment through such means as meetings, e-mail, dedicated web pages, and newsletters.

Ocean Advisory Commission/Science Advisory Council

At its 1st meeting, the Commission will begin considering planning principles that will guide plan development. Commission members will participate in one or more public meetings. At its 2nd meeting, tentatively scheduled for November 2008, the Commission will review planning principles that integrate the results of public input, workgroup/stakeholder issues, and the imperatives of the Oceans Act.

At its 1st meeting, the Science Council will review the workgroups' data for completeness and identify additional existing data sources in the context of developing the baseline assessment, and identify 'big

picture' questions the ocean plan should address over time and the data needed to do so. At its 2nd meeting, the Science Council will review the baseline data characterization in light of the plan principles as informed by the public input process.

Review of Planning Alternatives

All relevant models will be analyzed for their utility in MA. Such analyses will incorporate metrics such as: the imperatives of the act, existing data, public comment, and stakeholder issues (collectively, the principles).

Phase 1 Products

All relevant data into MORIS; working environmental, social and economic characterization of ocean uses/resources; planning principles; plan framework and development tools specific to MA.

Phase 2 February 2009- April 2009: application of planning tools and review of outcomes

- Planning analysis
- Evaluate alternative planning scenarios w/workgroups
- Review with Commission and Science Council

Planning analysis

Apply data to plan framework, develop alternative planning scenarios (different versions of what spatial/management plans look like depending on how uses/resources are weighted w/in the plan framework). With the Science Council, evaluate plan scenario alternatives for the degree to which the alternatives best advance a scientific foundation for the plan, in part based on a weighing of data precision and accuracy that is available in MA with the management measures incorporated in the scenarios. This scenario evaluation (with input from the Science Council) also will help identify the measures that will be incorporated into the plan to set out the defined planning, science, and policy process for ongoing, dynamic plan evolution. Based on workgroup and Commission/Science Council review feedback, select a preferred scenario for incorporation into the draft plan.

Ocean Advisory Commission/Science Advisory Council review

Present alternative planning scenarios for review and feedback from Commission (utility of plan in addressing principles) and Science Council (adequacy of baseline to support management recommendations) at the 3rd meetings of these groups.

Phase 2 Products

Draft recommended plan, including draft management measures for its implementation, for presentation to public, OAC, SAC.

Phase 3 May 2009 – June 2009: public, Ocean Advisory Commission/Science Advisory Council review of draft plan

- Present plan to public, Commission/Science Council
- Revise
- Finalize

Regional public meetings

Present results of planning process to regional public meetings for discussion and feedback.

Ocean Advisory Commission/Science Advisory Council

Present results of planning process to Commission (consistency with principles and sign-off) and Science Council (adequacy of science for immediate plan, responsiveness of scope for long-term plan to necessary questions) at the 4th meetings of these groups.

Finalize plan in response to comments and present to legislature for review

Phase 3 Products

Revised recommended plan that contains:

***1) framework plan with a spatial component and defined implementation /management measures;
and***

2) defined planning, science, and policy process for ongoing, dynamic plan evolution.